

### REMARKS

This amendment is in response to the Office Action of September 29, 2010. Claims 1 and 29 have been amended. Claims 14-19 are withdrawn. Claims 6, 10, 22, 28, and 31 have been cancelled without prejudice. Claim 32 has been added. Claims 1-4, 11-19, 23, 29, 30, and 32 are currently pending. No new matter has been added.

### Claim Objections

Claim 1 was objected to for language informality. Claim 1 has been amended to replace the phrase “the outer covering made of a metal outer covering material and being constructed to have a solid annular lateral cross-section” with “the outer covering made of a metal outer covering material and having ... a solid annular lateral cross-section.” Additionally, claim 1 has been amended to replace the phrase “the inner core inside the outer covering and a solid lateral cross-section” with “the inner core being disposed inside the outer covering and having ... a solid lateral cross-section.” Accordingly, the Applicant respectfully requests that the objection to claim 1 be withdrawn.

### § 112 Rejections

Claims 1-4, 6, 10-13, and 22, 23, and 28-31 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner asserts that there is no “written description support for a rounded tip that is isodiametric with the distal end of the body” (Office Action, page 3). The Office Action asserts that without an indication of where the border is between the body and the tip, there is no support for a tip whose proximal end is isodiametric with the body because the tip could be coupled to the body at a point where the body has already started its decrease in diameter (Office Action, page 3).

Claim 1 has been amended to remove the recitation “such that a proximal end of the rounded tip is isodiametric with the distal end of the body.” Accordingly, the Applicant respectfully requests that the rejection of claim 1, as well as claims 2-4, 6, 10-13, and 22, 23, and 28-31 which depend therefrom, be withdrawn.

Claim 31 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 31 has been cancelled. Accordingly, the Applicant respectfully requests that the rejection of claim 31 be withdrawn.

### **§ 103 Rejections**

Claims 1, 2, 6, 10, 22, and 23 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,916,178 to Noone et al. (hereinafter “Noone”) in view of U.S. Patent 5,357,961 to Fields et al. (hereinafter “Fields”). Claims 3, 4, 11-13, and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Noone and Fields, as applied to claims 1 and 2, and further in view of U.S. Patent No. 7,074,197 to Reynolds et al. (hereinafter “Reynolds”). Claim 28 was rejected under 35 U.S.C. 103(a) as being unpatentable over Noone and Fields, as applied to claim 1, and further in view of U.S. Patent No. 6,165,140 to Ferrera (hereinafter “Ferrera”). Claims 29 and 30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Noone and Fields as applied to claims 1 and 2, and further in view of U.S. Patent No. 4,545,390 to Leary (hereinafter “Leary”). The Applicant traverses these rejections.

Claim 1 recites a stylet with an elongated, isodiametric body having an outer covering and an inner core disposed thereover. The outer covering has a diameter that decreases distally along the length of the body while the inner core has a diameter that increases distally along the length of the body. None of the cited references, alone or in combination, teach or suggest an isodiametric stylet body having an outer covering with a distally-decreasing diameter and an inner core with a distally-increasing diameter.

Noone discloses a guidewire for use in a catheter (Noone, Abstract). Figure 1 of Noone is provided below.



Fields discloses a flushing device that includes a catheter guidewire flushing apparatus (Fields, Abstract). Fields was cited in the Office Action for teaching a handle disposed at the proximal end of a stylet (Office Action, page 5). Fields is silent as to what materials are used to form the stylet, or how the one or more materials are arranged in relation to one another. Therefore, Fields does not teach or suggest an isodiametric stylet body having an outer covering with a

distally-decreasing diameter and an inner core with a distally-increasing diameter, as recited in claim 1.

Accordingly, neither Noone nor Fields, alone or in combination, teaches or suggests all of the elements of claim 1. The additional cited references fail to cure the deficiencies of Noone and Fields. For at least these reasons claim 1, as well as claims 2-4, 11-19, 23, 29, 30, and 32 which depend therefrom, are patentable over the cited references. The Applicant respectfully requests withdrawal of the rejections of these claims.

Claim 32 additionally recites that the inner core is formed from at least one of ceramic, epoxy, magnesia partially stabilized zirconia, or yttria partially stabilized zirconia. Noone discloses that the core wire 25 can be constructed of stainless steel (Noone, col. 4 line 10). There is no discussion in Noone of using any other materials to form the core wire 25. As discussed above, Fields is silent as to what materials are used to form the stylet. Thus, neither Noone nor Fields, alone or in combination, teaches or suggests an inner core formed from at least one of ceramic, epoxy, magnesia partially stabilized zirconia, or yttria partially stabilized zirconia. Therefore, for at least these additional reasons, claim 32 is patentable over the combination of Noone and Fields. Accordingly, the Applicant respectfully requests withdrawal of the rejections of these claims.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner has any questions or concerns, the Applicant encourages the Examiner to contact the Applicant's representative, Patrick Turner, by telephone to discuss the matter.

Dated: December 23, 2010

Respectfully submitted,

By 

Patrick R. Turner

Registration No.: 49,050

FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue

New York, New York 10151

(206) 336-5683

(212) 588-0500 (Fax)

Attorneys/Agents For Applicant